



# Solidarity Now!

## Communication Workers of America

Local 4730, Bloomington and Northwest Campuses, Indiana University

Poplars Building, Room 331, (812) 855-8508

<http://www.indiana.edu/~cwa/>

Summer, 2008  
Volume 25, Number 3

### Bargaining 2008

*Peter Kaczmarczyk*

Bargaining is over for 2008, and the agreement between CWA Local 4730 and Indiana University for 2008/2009 has been ratified. I would like to thank all of you who are members and took the time to vote.

This year's bargaining went very well. However, the first day was rough; there was a definite disconnect between the two sides concerning what and how we were going to deal with the issues. After day one we were not optimistic. But we pushed ahead, holding our ground where we had to and exploring options and possibilities where we could. In the end we were very happy with the agreement that was reached. Both sides negotiated in good faith, and policy for support staff is better now than it was before we started.

Some of the key parts of this year's agreement are detailed below. A list of all 15 negotiated agreements can be

found on our website at [www.indiana.edu/~cwa/](http://www.indiana.edu/~cwa/). All changes go into effect on July 1, 2008.

**Wages:** All support staff at IUB and IUNW will get a 3.5% raise, with the only exceptions being those few at the maximum of their salary range, who will get the difference in a lump sum. There is no distribution for longevity this year—no attempts to address inequities. We heard your voices, most of whom asked us not to do anything “funky” this year. We also felt we had made good progress the last few years on longevity issues and could take a break this year.

This year's raises are a vast improvement over the last few years. We lobbied hard, with letters and editorials, emails and conversations, and it paid off. In addition, we have allies among the faculty and administration who agree we should be paid more. If we keep raising our voices and working with those who will listen, we can continue to make progress in improving the standard of

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### What We Have That They Don't

*Jane Goldsmith*

I often hear—from non-union members especially—that the union hasn't really done anything for the staff on campus, except for defending those people who get themselves in trouble with management. Things would be just the same if the union was here or not. Since I have been on the bargaining team for over ten years, I take exception to that, especially when it comes to policy changes. I therefore decided to see what policy differences there are for union represented (Bloomington and Northwest) and non-union represented campuses (all the others). Bear in mind that the administration negotiates policy changes with the union, except for university-wide policies that apply to all employee categories. On non-union represented campuses, they can implement policy changes as they see fit.

Although my comparison is not a policy by policy evaluation, I did find three differences that are noteworthy.

- Our policy 9.4 and non-union policy 2.6 “Salary Decisions for Individual Employees.” When an employee ac-

cepts a promotion, our policy guarantees a minimum 5% increase or the minimum of the new range, whichever is higher, with the maximum increase being the same relative position in the new range as the employee was in the old pay range. Non-union policy states that management is under no obligation to give a pay raise to staff if they are promoted. The only obligation they have is to not pay a salary below the beginning amount for the new pay range.

- Our policy 10.4 “Evaluation Period for New Employees” and non-union policy “Evaluation Period for New or Promoted Employees.” The difference between these two policies is shown in the titles of the policies. If an appointed staff employee voluntarily takes a new position, he/she is again subject to a four-month probation on non-union campuses. If the employee does not succeed in the new position, he/she is laid off and goes on the RIF list. Employees on union represented campuses only serve the initial probation after hiring.

- Our policy 6.1 “Performance Appraisal” and non-union policy—there is no policy for evaluations for non-

*Continued on page two*

## Some Thoughts from the President

*Peter Kaczmarczyk*

“If he had contacted the union at the start, he would probably still have a job.” Truer words have never been spoken. This was said to me by the HR person in the case I spoke about in the last issue, where a staff person made an unwise decision and the university over-reacted and fired him.

He was informed of his right to have a union representative and waived it, feeling, as many do, that he could handle it, and that it was “no big deal.” By the time he realized it was a “big deal,” and contacted us, he was being fired. The wheels were in motion and, as I have stated on more than one occasion, no amount of common sense and reason could stop them.

When a problem has occurred, the first meeting with management is critical. It’s usually just you and several members of management. We can help set the tone and will make sure your rights are understood and respected. We will keep the meeting focused on the facts and the issue at hand, not every little thing that management feels like dragging up. We can try to control any loose cannons in the room (the more managers in a room, the greater the chance you will get one who simply wants to kick your butt for whatever you have allegedly done). We can even help keep you from saying something that will get you in worse trouble.

The lesson here is simple. Is there a chance of discipline—any chance at all? Play it safe and contact your union.

## What We Have That They Don’t

*Continued from page one*

union campuses. There is no mention made of performance evaluations for any non-union campuses. Apparently you can work your entire career at IU and never be evaluated. While the compliance by management with this policy on the Bloomington and Northwest campus is not 100% (a situation the local is addressing), at least we do have a policy to refer to.

As I said earlier, there are probably more differences to be gleaned. The first two policies were discussed during this year’s bargaining and the union did not agree to changes. But the administration will come back again with these bargaining items. Only if our union stays strong and—with more members—becomes stronger, will we be able to continue stopping them. More members mean more power.



**LOCAL 4730**

**Communication Workers  
of America, AFL-CIO**

I hereby request full membership, and all the benefits that go with it, in Communications Workers of America (C.W.A) Local 4730. I authorize with this form my membership and the deduction of dues from my pay as established by C.W.A.

Name (print) \_\_\_\_\_

University ID # \_\_\_\_\_

Department \_\_\_\_\_

Work phone \_\_\_\_\_

Work address \_\_\_\_\_

Room # \_\_\_\_\_

E-mail address \_\_\_\_\_

Home address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Home phone \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Received by \_\_\_\_\_

Please return this form to CWA Local 4730,  
400 East 7th Street, Poplars Bldg., Room 331,  
Bloomington, IN 47405

## Playing with Fire is Never a Good Idea!!!!

*Linda Harl and Bernadette Robinson-Kinzer*

America seems to be suffering from the idea that employees who deny themselves breaks, including meal breaks, are better, more dedicated, more productive employees. However the facts do not support the myth.

Meal breaks and what affectionately were called coffee breaks in the 1950's and 60's became national standards, because the labor movement fought to establish the need and prove the justification for them. A paid fifteen minute break for each four hours worked is standard. Using this paid time to stretch your legs, get a drink, attend to personal needs, socialize with your co-workers, or even step outside the building to get a breath of fresh air helps to refresh you and reinvigorate your mental abilities. These breaks have been proven to enhance employee performance. Sitting at your desk for nine consecutive hours while blood pools in your legs is not good for you, and does not make you a clearer thinking, more productive employee. Eating your lunch away from your desk is most desirable, but in some cases it is not possible. However, in most cases it is still a break from work activities, and meal breaks of 30-60 minutes are "off the clock." However, there is no federal law mandating either the giving or taking of meal breaks.

Thus enters "flexible scheduling." If a supervisor has approved an employee arriving at 8:30 AM and leaving at 4:30 PM with the clear understanding that lunch will be consumed at their desk while answering incoming calls, responding to emails, signing for delivery of packages, etc.; this schedule does not include a meal break. It is an approved alternate schedule, which the supervisor has the right to change at any time if the needs of the department change. Another option would be an employee arrives at 7:30 AM, breaks at 11:30 AM to attend a class, returns to work at 2 PM and goes home at 5 PM on Tuesdays and Thursdays. This gives the employee two seven-hour work days during the week. They make up the time on Mondays, Wednesdays and Fridays by taking 20 -30 minute lunches and staying late on Friday if needed to ensure all their work is completed for the week. At semester's end they return to a regular schedule of 8 AM – noon and 1 – 5 PM. This is covered under Support Staff Policy 5.2 Alternate Work Schedules.

This sounds simple enough in the abstract, but it can get "fuzzy" in the real world. Suppose you know your co-worker isn't supposed to have a lunch break on Tuesdays, but routinely eats a sandwich and chips at her desk that day. Should she be taking at least some time off for

"lunch" or is she eating while she's working? And we won't even get into those who have to have an Egg McMuffin in the morning before they can start work. The best advice here is talk to the supervisor if you think someone might be abusing the flex schedule benefit.

If a staffer is arriving at 8 AM and leaving at 5 PM and doing the above described duties while eating lunch at their desk, s/he is working a nine-hour day and under federal law may need to be paid for the extra hour, unless the pre-approved flex-time schedule allows for longer days mixed with shorter ones. With a few exceptions (see policy 5.3), overtime is always calculated weekly. Anything over 40 hours must be considered overtime.

In any case, the staff member's time report must be accurate. S/he is NOT doing the right thing by "donating" time to their job. It is a violation of federal law to not report all time worked. If this is discovered, you most likely would be paid retroactively for the extra time, but you might also be disciplined. In short, if you work through your meal break and fail to report it as time worked, YOU ARE PLAYING WITH FIRE.

For more information go on-line and review policy 5.2 Alternate Work Schedules <http://www.indiana.edu/~uhrs/policies/ss/5.0/5.2.html> and policy 5.3 Overtime <http://www.indiana.edu/~uhrs/policies/ss/5.0/5.3.html>.

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## Local 4730 Trustee Election

### Endorsement

*Peter Kaczmarczyk*

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CWA Local 4730, representing support staff at IU Bloomington and IU Northwest, endorses Pat Shoulders in his bid to be re-elected Trustee of Indiana University.

Pat Shoulders has been a consistent voice against the outsourcing of IU jobs and services, and the corporatization of the university. Staff at IU and members of the IU community could not ask for a stronger ally in their fight to protect and improve their jobs.

Pat Shoulders understands that IU is a family and that the trustees must show this through their actions, not just their words.

Pat Shoulders realizes that, while IU should move forward with growth and expansion, it needs to remain transparent in its plans and accountable for its actions, with care taken in the pace at which it moves forward.

We urge all Indiana University alumni who care about the integrity of the university, who believe IU really is a family and that all the parts, great and small, matter, to vote (<https://election.alumni.iu.edu/>) to re-elect Pat Shoulders as IU Trustee.

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## Community Activism and Other Cool Affiliations

*Peter Kaczmarczyk*

CWA Local 4730 is involved in a number of community and other activities. Below is a quick rundown of many of the ways we contribute to the betterment of those outside of our workplace.

### Locally

- We hold an annual Blood Drive with the Red Cross. It is always good to truly give of ourselves.
- We hold an annual Food Drive in support of Hoosier Hills Food Bank. This is growing every year as the need grows.
- We bowl in the Big Brothers/Big Sisters Bowl for Kids' Sake fundraiser. Nothing is more fun than this, and if we can't get two teams next year, then shame on all of you who didn't volunteer!
- We promote and support various United Way activities. We hope to be able to do even more with them in the future.
- We have recently affiliated with the fledgling local chapter of Jobs with Justice. Coupled with our ongoing membership in the White River Central Labor Council, this should provide more opportunities for cool things like the rally at Assembly Hall.

### Nationally (and beyond)

Through the National CWA, we also help out those beyond the walls of IU. Directly, our local contributes a small amount to two causes.



*Peter Kaczmarczyk, CWA 4730 President, and Jackie Yenna, WRCLC President, received Pillar Awards for support of the United Way.*

- Elizabeth Glaser Pediatric Aids Foundation. This has been the CWA charity of choice since 1990. Its importance should be obvious, and you can learn more about it by going to <http://www.cwa-secy-treas.org/PedAidsUniontoUnion/pedaids.htm>.
- Eduardo Diaz Union-to-Union International Solidarity Fund. This fund originated in 1960 and, according to the resolution establishing it, operates under the belief that "we can create a better world where all workers, whichever country they live in and whichever industry they are working in, must have the right to join and organize unions." Go to <http://www.cwa-secy-treas.org/PedAidsUniontoUnion.htm> to learn more.

We are so much more than just a labor union. We are a part and partner in the community, great and small. With the support and work of our members, our local will continue to give back to the community in as many ways as we can.

## CWA Blood Drive a Success

*June Wickboldt*

The CWA Annual Memorial Holiday Blood Drive at Gresham Food Court was a success with sixteen donors. On May 28 the blood supply in our area was only 2.59 days. The Red Cross was especially glad to see O donors because the O negative supply was down to 0.17 days.

A hearty "Thank You" to all the donors and volunteers. Special thanks to Jackie Farris, Don Rhoads, Jean Rhoads, John Bruce, Su Cowling, Jan Tapp, Jose Celis, and Connie Vaughn. Thanks also to Residential Programs and Services Dining Services, who again generously loaned us the use of Gresham Food Court.



*John Bruce, RPS Health and Safety Manager, and June Wickboldt, CWA 4730 Site Manager, at the CWA May 2008 Blood Drive.*

## No Sweat! and Coca-Cola

*Ed Vasquez*

The student group, No Sweat!, has been waging a campaign to convince the IU administration not to renew its contract with Coca-Cola this coming year. The rationale behind this campaign is that entities such as corporations or public institutions must be held socially responsible for the products they produce and consume.

The fundamental issue that started this campaign is the right for union activists to form unions in Columbia. Coke is guilty of impeding the unionization of its bottling plants in Columbia and other developing nations. They have used brute force to prevent workers from exercising the fundamental human right to form a union.

The reality of the situation was brought to our campus when No Sweat! hosted a talk by Luis Cardona, a former Coke bottling union organizer. To a crowd of 100 people, Cardona told the story of the brutal conditions he and his fellow organizers had to endure in order to try to form a union in Columbia. He spoke of the tragic event where he held the head of his dying union president, Isidro Segundo Gil, who was shot by Columbian paramilitaries. Shortly after this horrible event, the paramilitaries camped outside the bottling plant and essentially crushed the union through kidnapping and other murders. A lawsuit, supported by AFL-CIO and CWA, was brought against Coca-Cola in Miami in 2001. Cardona had to flee his homeland with his family, because he had a death warrant on his head. Although the *Herald Times* and the *Indiana Daily Student* didn't report this significant event, it left the people in the room inspired. I spoke to Cardona after the talk and found out that he has not given up the fight for unionization. Currently he works for the United Steelworkers of America (USW) as a union organizer in Los Angeles. He is truly a heroic figure and has an inspirational story.

No Sweat! also held an effective march through campus on March 5. It was heartening to see this group of committed young activists march through campus for the fundamental right of people in the developing world not to be killed for wanting a union.

No Sweat! has done their part in the international movement in compelling universities to end their contracts with Coca-Cola. Coca-Cola simply fails to implement fundamental international labor rights in their bottling facilities in the developing world (most recently in El Salvador, where they have used child labor in their bottling plants, as cited by Human Rights Watch). The bottom line is that Coke is guilty of neglecting fundamental human rights for the sake of the almighty dollar. No Sweat! has been key in keeping the anti-Coke campaign

alive at IU and demanding that the IU administration take the human condition into consideration when it accepts contracts for corporations to peddle their products on the campus.

No Sweat!'s work has led to the creation of an Anti-Sweatshop Advisory Committee (which CWA sits on), and we will continue to work with No Sweat!. I would ask the IU administration to listen to their message: corporations must be held accountable for the crimes they commit and shouldn't be rewarded for forsaking human rights for the sake of profit.

## New Benefit Coverage for IU Fee Courtesy Plan

*Carole Baynes*

Beginning April 1, 2008, the IU Fee Courtesy Plan (for full-time academic and staff employees) offered a new coverage provision that includes a 25% tuition waiver for high school courses being offered through the Indiana University High School (IUHS) program.

This is a virtual high school that has individual courses and offers a fully accredited high school diploma through distance learning. The courses are through the Indiana University School of Continuing Studies and are accredited by the North Central Association. They are accepted for college admission by IU and other universities nationally (including Big Ten schools). All of the high school courses are taught and developed by certified teachers.

Who would take these courses? Employees and/or their children could take them as an alternative to the GED, home-schooling or course remediation, supplemental courses to regular high school programs, and high school completion while overseas.

For details about IUHS you can go online to [scs.indiana.edu/hs/highschoolcourses.php](http://scs.indiana.edu/hs/highschoolcourses.php). To receive the IU Fee Courtesy Plan waiver, employees need to complete the enrollment form at the campus Human Resource office or go online to [www.indiana.edu/~uhhs/benefits/fee\\_courtesy.html](http://www.indiana.edu/~uhhs/benefits/fee_courtesy.html).

**Plan to attend *your* CWA Local 4730 membership meetings.**

**We meet on the third Thursday of every month in the Poplars Building, Room 185**

**5:30—6:30 P.M.**

## A Health Care Story, Part 2

Peter Kaczmarczyk

Over the winter I wrote about my father's cancer and ensuing treatment. I am happy to report that he is finished with chemo and is making a full recovery. While he finds the pace at which he is rebuilding his strength horribly slow, I can only be amazed at his recovery and hope that I'm as strong and healthy as he when I'm 76. I expect by this time next year he will be up and going strong and trying to get my wife and me to take a trip to Italy with him (rough life, I know).

So my father is well, as is my wife, but during the last several months she has had her share of doctors and surgeries, and it makes for an interesting contrast to the treatment my father received for his cancer.

I will say that my wife's situation was never as serious as my father's, and the level of care needed was very different. My father received excellent care from the French health care system, as I related in my previous article. My wife's care, while excellent when given, had one serious lack, and that was how little of it there was. It was amazing, after both of my wife's two surgeries and a "procedure," how quickly they had her out the door afterward. As soon as she was awake we were receiving critical after-care information that she was in no condition to really understand or remember. This included information such as what pills to take when and, more importantly, which signs pointed toward recovery and which toward "Contact a Dr. Immediately!" I know this saves money, and what most patients probably want if asked (let me out of here!), but neither of these factors should decide when a patient should get post-operative care. As much of an inconvenience as it might have been, I would not have complained if she had stayed overnight for observation.

The other big difference was the cost. My father's total bills for his treatments were negligible, despite what must

have been hundreds of thousands of dollars in treatments. Ours however, despite pretty good insurance and far less expensive procedures, have run us well over \$1000 so far, and we have not even been billed for the big surgery yet.

What's most appalling and most scary of all are the charges that are disallowed. \$6000 is submitted to Anthem, and Anthem promptly disallows \$2400 of it and then proceeds to figure out how much of the remaining \$3600 they are going to pay. Good for me, good for Anthem, not so good for the care provider, right? However, did you know that if you have no insurance you are billed the entire \$6000 and are expected to pay it? That's right, the folks with no insurance pay the most for care. This benefits no one. It's grossly unfair; insurance companies have the clout to slash and set prices and stiff the hospitals, and the neediest that could use the lower rate the most have no chance at it. Is this a screwed up system or what?

So based on these two cases, isolated and by no means scientific, the French health care system provides better quality care at a far smaller cost to the patient. By treating everyone the same and paying everything equally, the burden to society is spread evenly and not heaped on the poorest and weakest, as it is here. There is no doubt in my mind that the time is now for a healthcare system which covers every person in the United States. Nothing less should be acceptable.

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## Executive Board Nominations Needed

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It's time to elect a new Executive Board. The current board's term expires at the end of 2008, and we need members to step up and run for office.

Per our by-laws, the Election Committee will open the nominating process at our September members' meeting and it will stay open through our October members' meeting. An election will follow in November. Any member in good standing can nominate themselves or any other member in good standing. Nominations may be made at the September or October members' meeting, or nominations in writing may be sent directly to Charla Lancaster (cwestbro@indiana.edu), Chair of our Election Committee.

The Executive Board consists of seven members—President, Vice President, Treasurer, Secretary and three at-large seats. We also elect an Executive Vice President for the Northwest campus. Details about the official responsibilities of the Executive Board can be found in our by-law ([http://www.indiana.edu/~cwa/2006/CWA\\_bylaws06.pdf](http://www.indiana.edu/~cwa/2006/CWA_bylaws06.pdf)), Article XII, or by contacting a current member of the Executive Board.

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### ***Solidarity Now!***

#### **Editorial Staff**

Carole Baynes

Gayla Bradfield

Jane Goldsmith

Linda Harl

Peter Kaczmarczyk

Jim Opiat

Bernadette Robinson-Kinzer

## Bargaining 2008

*Continued from page one*

living for all IU staff. Our plight does not go unrecognized; improvement is on the horizon, and this year was just a start.

**Policy issues – Stopping the madness:** Again this year we stood up to the university and said that we would not allow our job security to be undermined. For the second time IU wanted any staff person who changes jobs, for any reason, to go back into a probationary period. This would, of course, allow the staff person to be terminated for virtually any reason and would be ripe for abuse as a way to get rid of unwanted employees. Even if used ethically, it would be giving up job security, something we are simply unwilling to do. We said no and stuck to it.

A second proposal that we held firm on was one that would allow a department to cut your pay any time you changed jobs, even if the change was at the same level and you were not given a choice in the matter. Much like the proposal above, this would undermine a fundamental tenant of what we fight for, in this case fair and equitable wages. However, we were able to take this as an opportunity to address the occasions where a staff person could willingly and knowingly take a pay cut in order to move from one job to another. There have been occasions where a staff person wanted to make a career move or simply wanted out of where they are, and in the past policy has stood in the way (“I would love to offer you the job but can’t pay your current wages and can’t cut them”). Now, thanks to the wonders of negotiation, staff can make these moves.

This is a good point at which to remind folks of how bargaining works. Neither side can go in and say, “I want

this!” and expect to get it. Rather, we try to find areas of mutual concern and work out a deal that addresses at least some of what both sides want. Some things go nowhere; they simply reject some of our proposals just as we reject some of theirs, but most proposals lead to some discussion of the issues, at the very least.

Sometimes issues that get brought out in bargaining continue to be discussed during the year. A perfect example from this year is in the area of parking. We again discussed a rate scale for parking, and while no agreement was reached, discussions will continue, not just about a rate scale, but also about other parking issues that are important to staff.

So we discussed a lot of things and came out with a lot of agreements. Below are a few more highlights of the 15 different agreements that came out of bargaining 2008. The full list can be found at [www.indiana.edu/~cwa](http://www.indiana.edu/~cwa).

*Clarified and enforced* that Income Protection Time is more than just sick time and can be used for a large variety of needs.

*Clarified and enforced* that you, the worker, cannot be deterred from getting help with Health and Safety issues, including, among other things, ergonomic needs (chair, desk etc.). You have the right to have a safe workplace.

There is *new language in policy* that provides for up to 5 days of pay for partial or total campus closure (blizzard, shooting, fire, etc.), up to twice a year. You can actually thank management for this one; they saw a need in policy and addressed it.

*Always do right. This will gratify some people, and astonish the rest.*

MARK TWAIN

### CWA Local 4730 Board Officers 2006-2009

**President** Peter Kaczmarczyk  
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**Board Member at Large** Bernadette Robinson-Kinzer  
855-8292, [berobins@indiana.edu](mailto:berobins@indiana.edu)



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## CWA Local 4730 Calendar

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### June

**Thursday, June 19, 2008**

Members Meeting  
Poplars Bldg., Room 185  
5:30-6:30 P.M.

Executive Board Meeting  
Poplars Bldg., Room 185  
6:30-7:00 P.M.

**Wednesday, June 25, 2008**

White River Central Labor Council  
840 West 17th Street, Suite 9  
7:00 P.M.

### July

**Thursday, July 17, 2008**

Members Meeting  
Poplars Bldg., Room 185  
5:30-6:30 P.M.

Executive Board Meeting  
Poplars Bldg., Room 185  
6:30-7:00 P.M.

**Wednesday, July 23, 2008**

White River Central Labor Council  
840 West 17th St., Suite 9  
7:00 P.M.

### August

**Thursday, August 21, 2008**

Members Meeting  
Poplars Bldg., Room 185  
5:30-6:30 P.M.

Executive Board Meeting  
Poplars Bldg., Room 185  
6:30-7:00 P.M.

**Wednesday, July 27, 2008**

White River Central Labor Council  
840 West 17th St., Suite 9  
7:00 P.M.



Poplars 331  
Indiana University  
Bloomington, IN 47505

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